

## REMARKS

The Examiner rejected claims 1, 4-6, 11-15, 20-24, 26-28, 31-33, 38, and 39. Claims 1, 20, 31-33, and 38-39 have been amended herein, and claims 8-10, 18, 19, 30, 36, 37, and 40-67 have been cancelled without prejudice. Thus, claims 1, 4-6, 11-15, 20-24, 26-28, 31-33, and 38-39 are pending.

Claims 1 and 20 have been amended to recite that at least one strand of the double-stranded RNA comprises a sequence that is complementary to nucleotides 129 to 147 of SEQ ID NO:85. The sequence listing has been amended to include Genbank Accession Number K02718 (SEQ ID NO:85) found in Tables 1b and 1c. Applicants' specification fully supports these amendments. For example, Example 12 discloses multiple nucleic acid molecules encoding a nucleic acid comprising double-stranded RNA that is complementary to the recited sequence. See, also, page 8, line 28 to page 9, line 11, and Figure 10. Claims 31-33 and 38-39 have been amended to conform with the language of claim 20. Thus, no new matter has been added.

In light of the above amendments and the following remarks, Applicants respectfully request reconsideration and allowance of claims 1, 4-6, 11-15, 20-24, 26-28, 31-33, and 38-39.

### Withdrawn rejections

Applicants acknowledge the withdrawal of the previous rejections.

### Rejections under 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 4-6, 11-15, 21-24, 26-28, 31-33, 38, and 39 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Crooke *et al.* (U.S. Patent No. 6,174,870), Tuschle *et al.* (U.S. Patent Application Publication No. 2004/0259247), and Li *et al.* (U.S. Patent Application Publication No. 2002/0114784) for the reasons of record.

Applicants respectfully disagree with respect to the amended claims. The presently pending claims relate to a method of treating HPV infection, or a mammal having cells infected with HPV, comprising administering a nucleic acid molecule that comprises double-stranded RNA or encodes a nucleic acid comprising double-stranded RNA, where at least one strand of

the double-stranded RNA comprises a sequence that is complementary to nucleotides 129 to 147 of SEQ ID NO:85. At no point does the combination of cited references teach or suggest that a person having ordinary skill in the art should make or use a double-stranded RNA comprising a sequence that is complementary to the recited HPV sequence. In fact, the combination of Crooke *et al.*, Tuschle *et al.*, and Li *et al.* fails to provide any rationale that would have lead a person having ordinary skill in the art to carry out the presently claimed methods. Thus, the combination of cited references does not render the claimed invention obvious.


In light of the above, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 103(a).

### CONCLUSION

Applicants submit that claims 1, 4-6, 11-15, 20-24, 26-28, 31-33, and 38-39 are in condition for allowance, which action is respectfully requested. The Examiner is invited to contact the undersigned agent at the telephone number provided if such would advance prosecution of this application. Please apply the Petition for Three-Month Extension of Time fee and any charges or credits to deposit account 06-1050.

Respectfully submitted,

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Rachel A. Kahler, Ph.D.  
Reg. No. 62,661

Fish & Richardson P.C.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (877) 769-7945  
60501141.doc